

UTILITIES DIVISION[199]**Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to Iowa Code sections 17A.4 and 476.2, the Utilities Board (Board) gives notice that on March 20, 2015, the Board issued an order in Docket No. RMU-2014-0003, In re: Amendments to Telephone Service Regulations [199 IAC 22], “Order Commencing Rule Making,” proposing to update the Board’s rules in Chapters 22 and 26 regarding the provision of telecommunications services. On April 25, 2014, Governor Branstad signed into law 2014 Iowa Acts, Senate File 2195 (SF 2195), which amends various sections of Iowa Code chapters 476 and 477 in response to an increasingly competitive telecommunications industry in Iowa. One of the amendments resulting from the enactment of SF 2195 is the elimination of retail tariff requirements for local exchange carriers (LECs). This new law, which is codified in Iowa Code section 476.4(2), became effective on July 1, 2014, and no longer requires telephone utilities to file retail tariffs after January 1, 2015. The Board’s rules governing the provision of telecommunications services are found at 199 IAC 22 and contain multiple references to retail tariffs and retail tariff requirements. The proposed amendments are necessary to eliminate outdated provisions and to implement the new provisions of Iowa Code section 476.4(2).

To develop the proposed amendments, the Board sought early input from stakeholders. On May 30, 2014, the Board issued an “Information Order and Order Requesting Responses” in this docket to initiate the process of amending its administrative rules to address the requirements of SF 2195. The Information Order provided initial instructions to LECs for the withdrawal of retail tariffs prior to January 1, 2015. The Information Order also explained the Board’s intent to update its rules in Chapter 22 that contain references to retail tariffs, require changes due to the enactment of SF 2195, or are no longer relevant. The Board requested responses from all interested stakeholders. The Board received three responses to the Information Order. Generally, the responses agreed that the rules need to be revised and offered preliminary suggestions as to how the rules could be amended.

The order approving this Notice of Intended Action and commencing this rule making can be found on the Board’s Electronic Filing System (EFS) Web site, <http://efs.iowa.gov>, in Docket No. RMU-2014-0003.

Pursuant to Iowa Code sections 17A.4(1)“a” and “b,” any interested person may file a written statement of position pertaining to the proposed amendments. The statement must be filed on or before May 5, 2015. The statement should be filed electronically through the Board’s EFS Web site. Instructions for making an electronic filing can be found on the EFS Web site at <http://efs.iowa.gov>. Any person who does not have access to the Internet may file comments on paper pursuant to 199 IAC 14.4(5). An original and ten copies of paper comments must be filed. Both electronic and written filings shall comply with the format requirements in 199 IAC 2.2(2) and clearly state the author’s name and address and make specific reference to Docket No. RMU-2014-0003. All paper communications should be directed to the Executive Secretary, Iowa Utilities Board, 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069.

A public hearing at which interested persons may present oral comments on the proposed amendments will be held at 9 a.m. on Tuesday, June 2, 2015, in the Board’s hearing room at the address listed above. Persons with disabilities who require assistive services or devices to observe or participate should contact the Board at (515)725-7334 at least five days in advance of the scheduled date to request that appropriate arrangements be made.

After analysis and review of this rule making, the Board tentatively concludes that the proposed amendments, if adopted, will not have a detrimental effect on jobs in Iowa.

These amendments are intended to implement Iowa Code sections 17A.4 and 476.2.

The following amendments are proposed.

ITEM 1. Amend ~~199~~—**Chapter 22**, title, as follows:

~~RATES CHARGED AND SERVICE SUPPLIED BY TELEPHONE UTILITIES~~

ITEM 2. Amend subrule 22.1(1), introductory paragraph, as follows:

22.1(1) Application and purpose of rules. The rules shall apply to any telephone utility operating within the state of Iowa subject to Iowa Code chapter 476, and shall supersede all conflicting rules of any telephone utility which were in force and effect prior to the adoption of their superseding rules. Unless otherwise indicated, “telephone utility” or “utility” shall mean ~~both~~ local exchange utility, ~~and interexchange utility, or~~ alternative operator services company. These rules shall be construed in a manner consistent with their intent:

ITEM 3. Amend subrule **22.1(3)**, definitions of “Customer provision,” “Local exchange utility” and “Tariff,” as follows:

“*Customer provision*” means customer purchase or lease of terminal equipment or inside station wiring from the telephone ~~company~~ utility or from any other supplier.

“*Local exchange utility*” means a telephone utility that provides local exchange service under ~~tariff filed with the board~~ an authorized certificate of public convenience and necessity. The utility may also provide other services and facilities such as access services.

“*Tariff*” means the entire body of rates, classifications, rules, procedures, policies, etc., adopted and filed with the board by a ~~telephone~~ local exchange utility for wholesale services, including or by an alternative operator services company for retail services, in fulfilling its role of furnishing communications services.

ITEM 4. Rescind the definitions of “Base rate area,” “Message rate service,” “Rate zone,” “Rural service,” “Special rate area” and “Toll rate” in subrule **22.1(3)**.

ITEM 5. Adopt the following new definitions in subrule **22.1(3)**:

“*Bill-and-keep*” means the end point of transitional intrastate access services reductions. Under bill-and-keep arrangements, carriers exchanging telecommunications traffic shall not charge each other for specific transport or termination functions or services.

“*Retail services*” means those communications services furnished by a telephone utility directly to end-user customers. For an alternative operator services company, the terms and conditions of its retail services are addressed in an approved intrastate tariff. For a local exchange utility, the terms and conditions of its retail services are typically addressed in a retail catalog or other format, which is not subject to board approval.

“*Transitional intrastate access service*” means annual reductions that affect terminating end office access service subject to intrastate access rates as of December 31, 2011; terminating tandem-switched transport access service subject to intrastate access rates as of December 31, 2011; and originating and terminating dedicated transport access service subject to intrastate access rates as of December 31, 2011.

“*Wholesale services*” means those communications services furnished by one telephone utility to another provider of communications services. The terms and conditions of wholesale services are addressed in a telephone utility’s approved intrastate access tariff or local interconnection tariff.

ITEM 6. Amend subrule 22.1(5) as follows:

22.1(5) Basic utility obligations. Each telephone utility shall provide telephone service to the public in its service area in accordance with its rules and tariffs on file with the board. Such service shall normally meet or exceed the standards set forth in ~~these rules governing “Rates Charged and Service Supplied By Telephone Utilities.”~~ this chapter.

ITEM 7. Amend subrule 22.1(6) as follows:

22.1(6) Deregulation actions.

a. and b. No change.

c. Deregulation resulting from the passage of 2014 Iowa Acts, Senate File 2195. Effective July 1, 2014, Iowa Code section 476.4 no longer requires telephone utilities to file retail tariffs. The retail tariffs filed with the board prior to July 1, 2014, have been withdrawn pursuant to board orders in Docket No. RMU-2014-0003.

ITEM 8. Amend subrule 22.2(3) as follows:

22.2(3) *Tariffs to be filed with the board.* The utility, including an alternative operator services company, shall file its tariff with the board; and shall maintain such tariff filing in a current status. A copy of the same tariff shall ~~also be on file in all business offices of the telephone utility and shall be available for inspection by the public~~ be available upon request.

The tariff shall be classified, designated, arranged, and submitted so as to conform to the requirements of this chapter or board order. Provisions of the schedules shall be definite and so stated as to minimize ambiguity or the possibility of misinterpretation. The form, identification, and content of tariffs shall be in accordance with these rules unless otherwise provided.

~~Utilities which are not subject to the rate regulation provided for by Iowa Code chapter 476 shall not file schedules of rates unless required by another rule or by board order. Nothing contained in these rules shall be deemed to relieve any utility of the requirement of furnishing any of these same schedules or contracts which are needed by the board in the performance of the board's duties upon request to do so by the board. Every telephone utility shall make the schedule of its rates readily available to customers on the utility's Web site, if the utility has one, or by mail, upon request.~~

ITEM 9. Amend subrule 22.2(4) as follows:

22.2(4) *Form and identification.* All tariffs shall conform to the following rules.

a. ~~The tariff shall be printed, typewritten or otherwise reproduced on 8½ × 11-inch sheets of white paper equal in durability to 20-pound bond paper with 25 percent cotton or rag content so as to result in a clear and permanent record. The sheets of the tariff should be ruled or spaced to set off a border on the left side suitable for binding. In the case of utilities subject to regulation by any federal agency, the format of sheets of tariff as filed with the board may be the same format as is required by the federal agency, provided that the rules of the board as to title page; identity of superseding, replacing or revising sheets; identity of amending sheets; identity of the filing utility, issuing official, date of issue and effective date; and the words "Filed with the board" shall be applied to modify the federal agency format for the purposes of filing with this board.~~

b. and c. No change.

d. All sheets except the title page shall have, in addition to the above-stated requirements, the following further information:

(1) and (2) No change.

(3) Effective date ~~(to be left blank by rate-regulated utilities).~~

EXHIBIT A

..... Telephone Tariff

(Name of Company)

Filed with board.

Part No.

Sheet No.

Canceling (or revising) Sheet No.

Amending Sheet No.

EXAMPLE

Issued Effective

(Date)

(Date)

By

ITEM 10. Amend subrule 22.2(5) as follows:

22.2(5) Content of tariffs.

- a. No change.
- ~~b. Local exchange utilities shall file a map which shall clearly define the base rate boundary and any rural or special zones that are set forth in the tariff. The boundary line location on such maps shall be delineated from fixed reference points.~~
- ~~e. b. The period during which the billed amount may be paid before the account becomes delinquent shall be specified. Where net and gross amounts are billed, the difference between net and gross is a late payment charge and the amount shall be specified.~~
- ~~d. c. Forms of standard contracts required of customers for the various types of service available other than those which are defined elsewhere in the tariff.~~
- ~~e. A designation, by exchange, of the EAS to other exchanges.~~
- ~~f. The list of exchange areas served.~~
- ~~g. Definitions of classes of customers.~~
- ~~h. Extension rules, under which extensions of service will be made, indicating what portion of the extension or cost thereof will be furnished by the utility; and if the rule is based on cost, the items of cost included as required in 22.3(6).~~
- ~~i. The type of construction which the utility requires the customer to provide if in excess of the Iowa electrical safety code or the requirements of the municipality having jurisdiction, whichever may be the most stringent in any particular.~~
- ~~j. Statement of the type of special construction commonly requested by customers which the utility allows to be connected, and the terms upon which such construction will be permitted, with due provision for the avoidance of unjust discrimination as between customers who request special construction and those who do not. This applies, for example, to a case where a customer desires underground service in overhead territory.~~
- ~~k. d. Rules with which prospective customers must comply as a condition of receiving service.~~
- ~~l. e. Notice by customer required for having service discontinued.~~
- ~~m. Rules covering temporary service.~~
- ~~n. Rules covering the type of equipment which may or may not be connected.~~
- ~~o. f. Rules on billing periods, bill issuance, notice of delinquency, refusal of service, service disconnection and reconnection and customer account termination for nonpayment of bill.~~
- ~~p. Rescinded IAB 12/21/05, effective 1/25/06.~~
- ~~q. g. Customer deposit rules which cover when deposits are required, how the amounts of required deposits are calculated, requests for additional deposits, interest on deposits, records maintained, issuance of receipts to customers, replacement of lost receipts, refunds and unclaimed deposit disposition.~~
- ~~r. h. A separate glossary of all acronyms and trade names used.~~
- ~~s. i. A general explanation of each regulated service offering available from the utility.~~
- ~~t. Rescinded IAB 12/21/05, effective 1/25/06.~~
- ~~u. Rescinded IAB 12/21/05, effective 1/25/06.~~
- ~~v. Rescinded IAB 12/21/05, effective 1/25/06.~~

ITEM 11. Amend subrule 22.3(1) as follows:

22.3(1) Directories. All directories published after the effective date of these rules shall conform to the following:

- a. to c. No change.
- d. The directory shall contain such instructions concerning placing local and long distance calls, calls to repair and information services, and location of telephone ~~company~~ utility business offices as may be appropriate to the area served by the directory. A statement shall be included that the ~~company~~ utility will verify the condition of a line if requested by a customer and whether any charge will apply. The directory must indicate how to order 900 and 976 blocking and indicate that the first block is without charge. The directory shall contain descriptions of all current N11 services.

e. No change.

f. In the event of an error or omission, in the name or number listing of a customer, that customer's correct name and telephone number shall be furnished to the calling party either upon request to or interception by the telephone ~~company~~ utility.

g. to i. No change.

ITEM 12. Amend subrule 22.3(5) as follows:

22.3(5) *Pay telephone services and facilities.* All telephone utilities shall make available to customers provisions for the interconnection of pay telephone equipment ~~on the same basis as business service~~. A separate access line shall not be required for pay telephone equipment. ~~Nonrate-regulated telephone utilities shall provide service consistent with this subrule, but the subrule shall not apply to the pricing by nonrate-regulated telephone utilities of access lines to pay telephones.~~

ITEM 13. Amend subrule 22.3(12) as follows:

22.3(12) *Ordering and transferring of service.* ~~The~~ All local exchange utilities shall establish terms and conditions for ordering and transferring local exchange service shall be contained in the telephone utility's tariff.

ITEM 14. Amend subrule 22.3(14) as follows:

22.3(14) *Adjacent exchange service.* All local exchange utilities shall ~~file tariffs which include provisions which~~ allow customers to establish adjacent exchange service.

a. ~~The tariffs shall require the customer to~~ shall pay the full cost of establishing and maintaining the adjacent exchange service.

b. In addition, the ~~tariffs~~ local exchange utility may include all or part of the following service provisions:

(1) ~~The subscriber customer~~ shall subscribe to local exchange service in the primary exchange in addition to the adjacent exchange service.

(2) to (4) No change.

(5) Failure of the ~~subscriber customer~~ to comply with the ~~tariff~~ utility's provisions related to adjacent exchange service shall ~~make the subscriber~~ subject the customer to discontinuance of service after appropriate notice.

c. No change.

ITEM 15. Amend subrule 22.4(1) as follows:

22.4(1) *Customer information.*

a. Each local exchange utility shall:

(1) to (4) No change.

(5) Make the schedule of its retail rates available on the utility's Web site, if the utility has one, or readily available upon request.

(6) Develop a catalog or service guide that lists the utility's procedures for addressing residential customer service provisions consistent with this rule. The catalog or service guide shall be readily available upon request.

b. Inquiries for information or complaints to a utility shall be resolved promptly and courteously. Employees who receive customer telephone calls and office visits shall be qualified and trained in screening and resolving complaints, to avoid a preliminary recitation of the entire complaint to employees without ability and authority to act. The employee shall provide identification to the customer.

Unless a customer agrees to an alternative form of notice, local exchange utilities shall notify their customers, by bill insert or notice on the bill form, of the address and telephone number where a utility representative qualified to assist in resolving the complaint can be reached. The bill insert or notice shall also include the following statement: "If (utility name) does not resolve your complaint, the service may be subject to state regulation. You may request assistance from the Iowa Utilities Board by writing 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069, by calling (515)725-7321 or toll-free 1-877-565-4450, or E-mail to customer@iub.iowa.gov."

The bill insert or notice on the bill will be provided no less than annually and shall disclose the availability of the local exchange utility's schedule of retail rates, catalog, or service guide addressing residential customer service provisions. A telephone utility which provides local exchange service and issues an annual directory shall publish the information set forth above in its directory in addition to a mailing.

ITEM 16. Amend subrule 22.4(3) as follows:

22.4(3) *Customer billing, timely payment, late payment charges, payment and collection efforts.* Each ~~utility's tariff rules~~ utility shall comply with these minimum standards.

a. and b. No change.

c. Paper bills shall be issued and delivered via U.S. mail unless the customer agrees to electronic or other billing ~~pursuant to terms specified by tariff or customer agreement~~. Except as otherwise noted, the requirements of this subrule apply to both paper and electronic bills. The bill form or a bill insert shall provide the following information:

(1) to (6) No change.

d. to g. No change.

h. Maximum payment required for installation and activation of local exchange service shall comply with the total derived in accord with these rules ~~and the filed tariff~~.

(1) An applicant for local exchange service, who ~~under the tariff credit rules~~ is required to make a deposit to guarantee payment of bills, may be required to pay the service charges and deposit prior to obtaining service.

(2) No change.

i. Maximum payments required by an active account or inactive account, for restoration of service of the same class and location as existed prior to disconnection, shall be the total of charges derived for reconnection and must comply with 22.4(2), 22.4(5) and 22.4(7). ~~Only charges specified in the filed tariff shall be applied.~~

j. to l. No change.

ITEM 17. Amend subrule 22.4(4) as follows:

22.4(4) *Customer complaints.*

a. No change.

b. Each utility shall ~~provide in its filed tariff~~ develop a concise, fully informative procedure for the resolution of all customer complaints.

c. The utility shall take reasonable steps to ensure that customers ~~unable to travel~~ shall not be denied the right to be heard.

d. The final step in the resolution of a complaint ~~hearing and review procedure~~ shall be a filing for board resolution of the complaint issues pursuant to 199—Chapter 6.

ITEM 18. Amend subrule 22.4(5) as follows:

22.4(5) *Refusal or disconnection of service.* Notice of a pending disconnection shall be rendered and local exchange service shall be refused or disconnected as set forth in ~~the tariff~~ these rules. The notice of pending disconnection required by these rules shall be a written notice setting forth the reason for the notice, and the final date by which the account is to be settled or specific action taken.

The notice shall be considered rendered to the customer when deposited in the U.S. mail with postage prepaid. If delivery is by other than U.S. mail, the notice shall be considered rendered when delivered to the last-known address of the person responsible for payment for the service. The final date shall be not less than five days after the notice is rendered.

One written notice, including all reasons for the notice, shall be given where more than one cause exists for refusal or disconnection of service. This notice shall include a toll-free or collect number where a utility representative qualified to provide additional information about the disconnection can be reached. The notice shall also state the final date by which the account is to be settled or other specific action taken. In determining the final date, the days of notice for the causes shall be concurrent.

Service may be refused or disconnected for any of the reasons listed below. Unless otherwise stated, the customer shall be provided notice of the pending disconnection and the rule violation which

necessitates disconnection. Furthermore, unless otherwise stated, the customer shall be allowed a reasonable time in which to comply with the rule before service is disconnected. Except as provided in 22.4(5) “a,” “b,” “c,” “d,” and “e,” no service shall be disconnected on the day preceding or the day on which the utility’s local business office or local authorized agent is closed. Service may be refused or disconnected:

a. to d. No change.

e. For violation of or noncompliance with the utility’s board’s rules ~~on file with the board~~, the requirements of municipal ordinances or law pertaining to the service.

f. For failure of the customer or prospective customer to furnish service equipment, permits, certificates or rights-of-way specified ~~to be furnished in the utility’s rules filed with the board by the utility~~ as conditions for obtaining service, or for the withdrawal of that same equipment or the termination of those permissions or rights, or for the failure of the customer or prospective customer to fulfill the contractual obligations imposed ~~upon the customer as conditions of obtaining service by a contract filed with and subject to the regulatory authority of the board.~~

g. No change.

h. For nonpayment of bill or deposit, except as restricted by 22.4(7), provided that the utility has made a reasonable attempt to effect collection and:

(1) and (2) No change.

(3) In the event of a dispute concerning the bill, the ~~telephone company~~ utility may require the customer to pay a sum of money equal to the amount of the undisputed portion of the bill. Following payment of the undisputed amount, efforts to resolve the complaint, ~~using complaint procedures in the company’s tariff~~, shall continue and for not less than 45 days after the rendering of the disputed bill, the service shall not be disconnected for nonpayment of the disputed amount. The 45 days may be extended by up to 60 days if requested of the utility by the board in the event the customer files a written complaint with the board.

ITEM 19. Amend subrule 22.5(14) as follows:

22.5(14) Information service access blocking. Each local exchange utility shall ~~include in its tariff on file with the board a provision giving~~ provide its subscribers customers the option of blocking access to all 900 and 976 prefix numbers, without charge for the first block.

ITEM 20. Amend subrule 22.6(6) as follows:

22.6(6) Business offices.

a. Each local exchange utility shall have one or more business offices or customer service centers staffed to provide customer access ~~in person or by telephone~~ to qualified personnel, including supervisory personnel where warranted, to provide information relating to services and rates, accept and process applications for service, explain charges on customers’ bills, adjust charges made in error, and, generally, to act as representatives of the local exchange utility. If one business office serves several exchanges, toll-free calling from those exchanges to that office shall be provided.

b. No change.

ITEM 21. Amend rule 199—22.10(476), introductory paragraph, as follows:

199—22.10(476) Unfair practices. All unfair or deceptive practices related to customer provision of equipment are prohibited. Any failure to provide information to customers or to deal with customers who provide their own terminal equipment or inside station wiring or an alteration of the charges for or availability of equipment or services on that ground, unless specifically authorized by board order or rule ~~and by the utility’s tariff~~, shall constitute unfair or deceptive practices. In cases of equipment in compliance with Federal Communications Commission registration requirements, telephone utility personnel are prohibited from making any statement, express or implied, to, or which will reach, a customer or prospective customer that terminal equipment in compliance with Federal Communications Commission registration requirements cannot properly be attached to the telephone network. This does not apply to good-faith efforts to amend the Federal Communications Commission requirements.

ITEM 22. Amend subrule 22.11(1) as follows:

22.11(1) Construction by user limitation. A user shall not be allowed to construct inside station wiring from a demarcation point or between two or more buildings on the same premises to obtain service from an exchange other than that by which the user would normally be served, excluding users being provided adjacent exchange service or foreign exchange service ~~as provided in a company's tariff~~. Existing inside wiring obtaining local exchange service within another exchange boundary shall be disconnected by the user within ten days after receipt of written notification from the local exchange company.

ITEM 23. Amend rule 199—22.12(476) as follows:

199—22.12(476) Contents Content of wholesale tariff filings proposing rates rate changes.

22.12(1) Construction of rule. This rule shall be construed in a manner consistent with its purpose to expedite informed consideration of wholesale tariff filings proposing rates that propose rate changes by ensuring the availability of relevant information on a standardized basis. Unless a waiver is granted prior to the filing of a wholesale tariff, this rule shall apply to all wholesale tariff filings by rate-regulated telephone utilities proposing rates rate changes, except the retail tariff filings of AOS utilities that propose rates at or below the corresponding rates for similar services of utilities whose rates have been approved by the board in a rate case or set in a market determined by the board to be competitive.

22.12(2) to 22.12(4) No change.

ITEM 24. Amend subparagraph **22.14(1)“b”(3)** as follows:

(3) This rule shall be inapplicable to:

1. ~~Communications made by a person using facilities or services of telephone utilities to which an intrastate carrier common line charge applies pursuant to 22.14(3)“a.”~~

2. ~~Administrative~~ administrative communications made by or to a telephone utility.

ITEM 25. Amend subrule 22.14(2) as follows:

22.14(2) Filing of intrastate access service tariffs.

a. Tariffs providing for intrastate access services and transitional intrastate access services shall be filed with the board by a telephone local exchange utility which provides such services. ~~Iowa intrastate access service tariffs of rate-regulated utilities shall be based only on Iowa intrastate costs. A local exchange utility shall file with the board revised transitional intrastate access services rates to become effective on or about July 1 of each year until such rates are reduced to bill-and-keep.~~ Unless otherwise provided, the filings are subject to the applicable rules of the board.

b. A ~~non-rate-regulated~~ local exchange utility ~~in its general tariff~~ may concur in the intrastate access tariff filed by another ~~non-rate-regulated~~ local exchange utility serving the same exchange area.

(1) Alternatively, a ~~non-rate-regulated~~ local exchange utility may voluntarily elect to join another ~~nonrate-regulated~~ local exchange utility or utilities in forming an association of local exchange utilities. The association may file intrastate access service tariffs. ~~A utility in its general tariff can concur in the association tariffs.~~

(2) No change.

c. No change.

d. All intrastate access service tariffs shall incorporate the following:

(1) Carrier common line charge. The rate for the intrastate carrier common line charge shall be three cents per access minute or fraction thereof for ~~both originating and terminating~~ segments of the communication; unless a different lower rate is required by the transitional intrastate access service reductions or if numbered paragraphs “1” and “2.” “2” are applicable. The carrier common line charge shall be assessed to exchange access made by any interexchange telephone utility, including resale carriers. In lieu of this charge, interconnected private systems shall pay for access as provided in 22.14(1)“b.”

1. Incumbent local exchange carrier intrastate access service tariffs shall include the carrier common line charges approved by the board.

2. A competitive local exchange carrier ~~that concurs with the Iowa Telephone Association (ITA) Access Service Tariff No. 1 and that offers service in exchanges where the incumbent local exchange carrier's intrastate access rate is lower than the ITA access rate~~ shall deduct the carrier common line charge from its intrastate access service tariff.

(2) to (8) No change.

e. No change.

ITEM 26. Adopt the following new subrule 22.14(7):

22.14(7) Access billing disputes and discontinuation of service. The provisions of subparagraph 22.4(5) "h"(3) also apply to intrastate access billing disputes. The provisions of rule 199—22.16(476) shall be followed before a utility discontinues providing intrastate access service to another utility.

ITEM 27. Rescind and reserve subrule **22.15(3)**.

ITEM 28. Amend rule 199—22.16(476) as follows:

199—22.16(476) Discontinuance of service. ~~No~~ Except in the case of emergency, no local exchange utility or interexchange utility may discontinue providing intrastate service to any local exchange or part of a local exchange except in the case of emergency, without providing notice to the board and the consumer advocate.

In cases of nonpayment of account, or violation of rules and regulations; except as provided below, or violation of board orders, no utility shall discontinue service without providing at least two business days' notice to the board and the consumer advocate.

~~22.16(1) Prior to discontinuing service~~ In all other cases, the utility shall file with the board and the consumer advocate a notice of intent to discontinue service at least 90 days prior to the proposed date of discontinuance. However, if the utility shows it has no customers for the service it proposes to discontinue, the utility need only file such notice 30 days prior to discontinuance.

~~22.16(2)~~ **22.16(1)** The notice of discontinuance of service shall include the following:

1. to 6. No change.

~~22.16(3)~~ **22.16(2)** If after 30 days of the filing of such notice, no action is taken by the board, the discontinuance may take place as proposed.

~~22.16(4)~~ **22.16(3)** The board, on its own motion or at the request of the consumer advocate or affected customer, may hold a hearing on such discontinuance.

ITEM 29. Amend subrule 22.19(3) as follows:

22.19(3) Blocking. AOS companies shall not block the completion of calls which would allow the caller to reach a long distance telephone ~~company~~ utility different from the AOS company. All AOS company contracts with contracting entities must prohibit call blocking by the contracting entity. The contracting entity shall not violate that contract provision.

ITEM 30. Amend paragraph **22.20(3)"a,"** introductory paragraph, as follows:

a. ~~Each utility's maps~~ If a utility files a paper boundary map, the map shall be on a scale of one inch to the mile. If a utility files a boundary map in an electronic format, the relevant scale shall be noted in the filing. They Boundary maps shall include information equivalent to the county maps which are available from the Iowa department of transportation, showing all roads, railroads, waterways, plus township and range lines outside the municipalities. A larger scale shall be used where necessary to clarify areas. All map details shall be clean-cut and readable.

ITEM 31. Rescind subrule 22.20(4) and adopt the following new subrule in lieu thereof:

22.20(4) Certificate modifications. Two local exchange utilities may transfer the service territory boundaries and customers from one utility to another after affected customers have been notified of the transfer and are given the opportunity for a hearing before the board. A certificate modification shall be approved if the board finds that the transfer will result in adequate service to affected customers, the transfer is in the public interest, and the provisions of paragraph 22.23(2) "e" have been followed. If the certificate modification involves an ILEC, the ILEC shall file revised boundary maps.

After July 1, 2014, a local exchange utility may expand its service territory by filing a notice of the expansion with the board and by providing that notice to affected utilities. The notice shall list the exchanges where the utility currently provides ILEC and CLEC service and shall provide the names of the exchanges where the utility proposes to expand its competitive service area.

a. Filing instructions. The notice of the expansion shall be filed using the board's electronic filing system in accordance with rule 199—14.9(17A,476). The filing shall be titled "Proposed Expansion of Competitive Service Area," with a reference to the year for which the notice is filed. The board's records and information center will assign each filing an ES docket number, signifying "Expansion of Service Areas." Unless docketed by the board for further investigation, a letter approving the notice and modifying the utility's certificate will be issued within 30 days of the filing. ES dockets are not subject to protection from public disclosure.

b. Conservation of numbering resources. A utility proposing to expand its competitive service area shall not apply for numbering resources in those exchanges until its provision of local exchange service to customers becomes imminent.

ITEM 32. Amend paragraph **26.5(1)“b”** as follows:

b. Notification of customers. All public utilities, except those exempted from rate regulation by Iowa Code section 476.1, which propose to increase rates or charges, shall mail or deliver a written notice pursuant to paragraph 26.5(1)“c” or “d” to all customers in all affected rate classifications. The written notice shall be mailed or delivered before the application for increase is filed, but not more than 62 days prior to the filing. Any public utility exempt from rate regulation by Iowa Code section 476.1, which proposes to increase rates or charges, shall mail or deliver, not less than 30 days prior to the proposed effective date, a written notice pursuant to paragraph 26.5(1)“c” or “d” of the rate or charge increase to all customers in all affected rate classifications.

~~Provided, however, that if a telephone utility is proposing to increase rates for only interexchange services, excluding EAS and intrastate access services, the utility shall cause the notice of proposed increase to be published, in at least one newspaper of general circulation in each county where such increased rates are proposed to be effective. The notice shall be published at least twice in such newspaper no more than 62 days prior to the time the application for the increase is filed with the board.~~

The notice requirements above are not applicable to the rate changes of a telephone utility exempt from filing tariffs pursuant to Iowa Code section 476.4. Exempt telephone utilities shall file with the board copies of rate change notices at the same time that such notices are delivered to customers.